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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/760,435	01/20/2004	Karsten Kahler	TRW(ASG)69.8	9210

7590 12/15/2005
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EXAMINER

TO, TOAN C

ART UNIT PAPER NUMBER

3616

DATE MAILED: 12/15/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/760,435	Applicant(s) KAHLER ET AL.	
	Examiner Toan C. To	Art Unit 3616	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 January 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2 and 5-10 is/are rejected.
- 7) ☒ Claim(s) 3 and 4 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 January 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>3/17/04; 4/13/04</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1, 5 and 9 are rejected under 35 U.S.C. 102(e) as being anticipated by Kassman et al (U.S. 6,565,113).

Kassman et al discloses a gas bag module comprising a gas generator (14) and a module housing (38), said gas generator (14) having a generator flange (16), which is provided with first hook-shaped fastening elements (66) cut out from sheet metal for fastening said gas bag module (10) to a steering wheel (see column 5, lines 5-13), and second fastening elements (24) for fastening said gas generator (14) to said module housing (38); wherein, said second fastening elements (24) are connected with said module housing (38) by a clamping connection (a nut and threaded end of bolt 24 in figure 8 define a clamping connection); wherein an inflation opening of the gas bag (26) arranged in the housing (38) is fastened to the housing by the gas generator flange.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 2, 6 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kassman et al (U.S. 6,565,113) in view of Igawa (U.S. 6,695,343).

Kassman et al discloses every element of the invention as discussed above except that the second fastening elements are provided on strip-shaped lateral extensions of the generator flange, the extending being bent over axially in direction toward a base of the housing; wherein the second fastening members are cut out from a sheet metal.

Igawa teaches the invention wherein the second fastening elements (2F) are provided on strip-shaped lateral extensions (2) of the generator flange (6a), the extensions being bent over axially in direction toward a base of the housing (5L); wherein the second fastening members (2F) are cut out from a sheet metal.

With respect to claim 6, the connection between the retainer 2 and housing 5L of Igawa is considered as a crimping connection.

It would have been obvious design choice to one having ordinary skill in the art at the time the invention was made to modify the second fastening element of Kassman et al by using the teaching of Igawa in order to secure the inflator to the housing of the airbag module.

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5. Claims 7-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kassman et al (U.S. 6,565,113) in view of Christiansen et al (U.S. 6,695,343).

Kassman et al discloses every element of the invention as discussed above except that the second fastening elements are connected to the module housing by means of at least one safety clip, or by press fit.

Christiansen et al teaches the invention wherein the fastening elements (100) are connected to the module housing by either means of at least one safety clip (104), or by press fit (see column 4, lines 1-10).

It would have been obvious design choice to one having ordinary skill in the art at the time the invention was made to modify the second fastening element of Kassman et al by using the teaching of Christiansen et al in order to secure the inflator to the housing of the airbag module.

Allowable Subject Matter

6. Claims 3-4 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Toan C. To whose telephone number is (571) 272-6677. The examiner can normally be reached on Mon-Fri (8:00-5:00).

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paul Dickson can be reached on (571) 272-6669. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

TTO
December 8, 2005

 12/12/05
PAUL N. DICKSON
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600